

# **TOWN OF BROOKFIELD ZONING REGULATIONS**

## **Application of Provisions - §242-201A-C**

### **ARTICLE 2.**

#### **Application of Provisions; Definitions; Zoning Map**

#### **§ 242-201. Application of provisions.** *[amended 12/22/70, 9/20/74, 4/3/77]*

**A. Compliance with regulations:**

No land, building or premises or part thereof, shall hereafter be used, except for a use specifically permitted by applicable provisions of this chapter. No building, or part thereof, or other structure shall be constructed, reconstructed, extended, enlarged, moved or altered, except in conformity with this chapter. No lot shall have an area, width, front, side or rear yard less than that as set forth in the applicable section hereof, except as otherwise specifically provided in this chapter. No total of land coverage shall occupy in the aggregate a greater percentage of the lot area, nor be greater in height, than as set forth in the applicable section hereof, except as otherwise specifically provided in this chapter.

**B. Reduction of lot area or dimensions:**

No lot shall be diminished, nor shall any yard, court or any other open space be reduced except in conformity with this chapter.

**C. Required frontage and access:**

No building shall be built on any lot unless such lot has a frontage of at least fifty feet (50') wide on a public street or unless it has unobstructed easement of access or private right-of-way at least fifty feet (50') wide to a public street, provided that the provisions of this section shall not apply to any lot fronting on a private right-of-way less than fifty feet (50') in width, which private right-of-way was in existence on June 15, 1960. The exception provided herein shall not apply to any subdivision requiring approval under the Subdivision Regulations of the Town of Brookfield (Brookfield Code §234) or the Connecticut General Statutes. Where a right-of-way or easement of access serves more than one (1) dwelling, it shall conform to the grade and alignment requirements of the Brookfield Town Road Ordinance (Brookfield Code §192). The required width of the lot shall be measured at the building line. The area of an easement of access or of a private right-of-way shall not be used in computing the area of the lot or land area per dwelling unit or building line or yards, except by the owner of the property on which the easement exists.

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### **Application of Provisions - §242-201 D-E**

#### **D. Open spaces required for each building:**

Except as specifically provided herein, no part of any yard or other open space required about any building may be included as part of a yard or other open space required for any other building.

#### **E. Building on existing lots:**

The applicable requirements of this chapter pertaining to minimum lot area and minimum lot width shall not prevent the construction of a permitted building or the establishment of a permitted use on a lot which, at the time of adoption hereof, June 15, 1960, or of any pertinent amendment hereto, was evidenced by deed recorded in the Land Records of the Town of Brookfield, provided that such lot contains an area of not less than twenty thousand (20,000) square feet; said use and said construction otherwise meets with the approval of the Health Director of the Town of Brookfield and complies with the Public Health Code of the State of Connecticut; and a variance is obtained for any lot which does not comply with the required side yard, front yard or rear yard requirements of this chapter. The provisions of this subsection shall not apply to any parcel of land that requires subdivision approval.

#### **F. Creation of Approved Building Lots**

No Certificate of Zoning Compliance or Building Permit may be issued for any building lot created without Planning Commission approval on the part of an owner after the adoption of this regulation under the doctrine of “first free cut” or revisions to lot lines or any combination thereof, unless the owner first applies for and obtains the approval of the Planning Commission in accordance with the Subdivision Regulations as they may be amended. *[eff. 1/15/03]*